

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

PAULINE WARMACK o/b/o	)	
SHARONDA PEW	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 05cv335-VPM
	)	[W/O]
JO ANNE B. BARNHART	)	
Commissioner of Social Security	)	
	)	
Defendant.	)	

**ORDER ON MOTION**

On 11 April 2005, Pauline Warmack ["Warmack"] filed a Motion to Proceed *In Forma Pauperis* (Doc. # 2) on behalf of Sharonda Pew ["Pew"]. An affidavit accompanying the motion provided information insufficient on its face to allow the court to determine Pew's or Warmack's ability to pay the court fees and costs. *Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1307 (11th Cir. 2004); *Watson v. Ault*, 525 F.2d 886, 891 (5th Cir. 1976).

Specifically, the affidavit failed to address Pew's financial situation and minority status, Warmack's legal relationship with Pew and the other persons living in her household, whether Pew resides with Warmack, and the amount of family contributions Warmack receives each month to assist with living expenses. Furthermore, as income information Warmack offers only a vague statement referring to past Social Security disability benefits. Therefore, having considered the motion, and for the reasons stated herein, it his hereby

ORDERED that the motion is DENIED. It is further

ORDERED that on or before 5 May 2005, the plaintiff shall either pay in full to the clerk of the court the filing fee of \$250.00 or submit another motion to proceed *in forma pauperis* accompanied by a supplemental affidavit that addresses the court's aforementioned concerns.

DONE this 22<sup>nd</sup> day of April, 2005.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE